

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION
CIVIL ACTION NO. 1:09-CV-153**

APRIL J. SMITH,)	
)	
For herself and on behalf of all)	
similarly situated individuals,)	
)	
Plaintiff,)	
v.)	
TALECRIS BIOTHERAPEUTICS,)	
INC.,)	
)	
Defendant.)	
)	

**FINAL REPORT ON ADMINISTRATION OF CLASS SETTLEMENT
AND MOTION FOR ORDER PERMITTING DISBURSEMENT OF
CY PRES FUNDS**

COMES NOW Defendant, by undersigned counsel, pursuant to Paragraph 12 of this Court Order filed on July 7, 2007 (dkt. 24) and pursuant to the terms of the Settlement Agreement approved by the Court in this matter, and files this Final Report on Administration of the Class Settlement and Motion for Order Permitting Disbursement of Cy Pres Funds. This Final Report has been provided to Class Counsel, and Class Counsel consents to the disbursement of the Cy Pres funds.

Seventy one (71) class members were indentified. The parties made dilligent efforts, including the use of the National Change of Address Database and other commercially available address data bases, to locate a current address for all class members.

The parties were able to locate and issue settlement checks in the amount of \$1,000.00 to fifty seven (57) of the class members. Forty eight (48) of those checks now have cleared Defendant's account. Nine (9) checks did not clear Defendant's account. All of the checks that did not clear have been outstanding for at least 90 days, and Defendant has now stopped payment on those checks.

Of the \$71,000 fund created for payment to the class members, \$48,000 was paid to class members, and \$23,000 remains in the fund. As agreed by the parties in the Settlement Agreement, this remaining amount is to be paid by Defendant as a charitable contribution to the Triangle United Way.

Accordingly, Defendant requests that the Court issue an Order approving disbursement of the Cy Pres funds in the amount of \$23,000.00, and relieving itself of jurisdiction over this matter.

This 4th day of March, 2011.

OGLETREE, DEAKINS, NASH,
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing Final Report on Administration of the Class Settlement and Motion for Order Permitting Disbursement of Cy Pres Funds with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Leonard A. Bennett, Esq.
Christopher Colt North, Esq.

Dated this 4th day of March, 2011.

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

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